

105TH CONGRESS
2D SESSION

H. R. 3237

To establish a national registry from which adopted children may obtain medical information voluntarily provided by their birth parents.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 1998

Mr. SCHUMER introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To establish a national registry from which adopted children may obtain medical information voluntarily provided by their birth parents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NATIONAL REGISTRY OF MEDICAL INFORMA-**
4 **TION ON BIRTH PARENTS OF ADOPTED CHIL-**
5 **DREN.**

6 Part E of title IV of the Social Security Act (42
7 U.S.C. 670–679b) is amended by adding at the end the
8 following:

1 **“SEC. 479B. NATIONAL REGISTRY OF MEDICAL INFORMA-**
2 **TION ON BIRTH PARENTS OF ADOPTED CHIL-**
3 **DREN.**

4 “(a) IN GENERAL.—The Secretary shall establish
5 and operate, in accordance with this section, a national
6 registry to which the birth parents of an adopted child
7 may voluntarily provide medical information about them-
8 selves, and from which such information may be released
9 to the adopted child, on request of the adopted child.

10 “(b) PROHIBITION AGAINST RELEASE OF IDENTIFY-
11 ING INFORMATION.—

12 “(1) PROHIBITION.—Except as provided in
13 paragraph (2), the national registry shall not release
14 any information about a birth parent that would en-
15 able the identity of the birth parent to be readily de-
16 termined.

17 “(2) EXCEPTION.—The national registry may
18 release identifying information about a birth parent
19 of an adopted child to the adopted child if the birth
20 parent and the adopted child have consented, by a
21 signed notarized statement, to the release of the in-
22 formation.

23 “(c) CONFIDENTIALITY OF INFORMATION.—The na-
24 tional registry shall treat as confidential all information
25 in the national registry about an individual, and shall not

1 release the information for any purpose without the prior,
2 written, informed consent of the individual.

3 “(d) OPERATIONS.—

4 “(1) PRIVACY AND CONFIDENTIALITY PROTEC-
5 TIONS.—The Secretary shall establish such proce-
6 dures, and use appropriately designed computer and
7 data processing methods, as are necessary to protect
8 the privacy of birth parents and adopted children
9 who provide information to the national registry and
10 the confidentiality of the information in the national
11 registry.

12 “(2) BAN ON FACILITATING REUNIONS.—The
13 national registry shall not attempt to contact any in-
14 dividual for the purpose of facilitating a reunion.

15 “(3) CENTRALIZATION.—The national registry
16 shall be a centralized nationwide repository for the
17 information described in subsection (a), and shall
18 operate independently of any other data system
19 maintained by the Department of Health and
20 Human Services.

21 “(e) REASONABLE FEES.—The Secretary may
22 charge and collect a reasonable fee for services provided
23 under this section. The Secretary shall determine the
24 amount of the fee after taking into consideration the aver-

1 age fee for comparable services offered by States, and the
2 amount of the fee shall not exceed such average fee.

3 “(f) PENALTY FOR VIOLATION.—

4 “(1) IN GENERAL.—Whoever releases confiden-
5 tial information in violation of this section shall be
6 fined not more than \$5,000, imprisoned for not
7 more than 1 year, or both.

8 “(2) INAPPLICABILITY OF GENERAL FINE PRO-
9 VISIONS OF FEDERAL CRIMINAL LAW.—Section 3571
10 of title 18, United States Code, shall not apply to
11 a violation of this section.

12 “(g) NO PREEMPTION.—This section shall not be
13 construed to invalidate or limit any law of a State or of
14 a political subdivision of a State concerning adoption and
15 the confidentiality of the sealed adoption record policy of
16 the State.”.

○